

REMARKS

In paragraph 4 of the Action, claims 1-7, 10 and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by JP '176. In paragraph 6 of the Action, claims 9 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over JP '176. Claim 8 was allowed.

In view of the rejection, claims 4 and 8 have been editorially amended. Also, the term "with constricting means" has been amended to "with constricting device." Further, new claims 13-16 have been added. In new claims 13-16, the width constraining device as recited in claims 1 and 4 are further clearly defined.

Although claims 1-7 and 9-12 were rejected by JP '176, claims 1 and 4 and dependent claims therefrom are allowable over JP '176, as explained below.

In paragraph 4 of the Action, it was held that "Noguchi discloses an airbag for protecting an occupant comprising a left half airbag and a right half airbag, and width constraining means 1c *attached to an inner middle area inside the left half airbag and right half airbag* for constraining lateral widths thereof when the left half airbag and the right half airbag are inflated." (emphasis added)

In JP '176, it is stated in the English explanation that "An airbag apparatus shown in Fig. 1 includes separate airbag elements 1a, 1b attached together at a side portion 1c, and a gas generator 2."

As explained in the above English explanation and shown Fig. 1 of JP '176, side portions of the separate airbags 1a, 1b are simply attached together.

On the other hand, in claims 1 and 4 of the application, it is defined that the width constraining device is attached to an inner middle area inside the left half airbag and right half airbag, respectively. Namely, each of the left half airbag and the right half airbag has the width constraining device *at an inner middle area inside the left half airbag and the right half airbag*. However, in JP '176, the separate airbag elements 1a, 1b are simply attached together at the respective sides, i.e. side portion 1c. In JP '176, therefore, although there is means attached to *an outer middle area outside* the left half airbag and right half airbag, there is no device attached to *an inner middle area inside* the left half airbag and right half airbag, as recited in claims 1 and 4 of the application.

A rejection based on 35 U.S.C. 102 requires every element of the claim to be included in the reference, either directly or inherently. However, in JP '176, no device is attached to an inner

middle area inside the left half airbag and right half airbag as recited in claims 1 and 4 of the application.

Therefore, the Examiner's rejection in the Office Action is not proper, and claims 1 and 4 are patentable over JP '176.

In regard to the rejections for claims 9 and 12 by JP '176, the basic structure from which claims 9 and 12 depend, i.e. claim 1, is not disclosed in JP '176 nor obvious therefrom, as explained above. Therefore, claims 9 and 12 are patentable over JP '176.

As explained above, claims now pending in the application are patentable over JP '176.

Reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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